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WOOD, HERRON & EVANS, LLP (NORDSON)
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

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OFFICE OF PETITIONS

In re Application of Schmitkons et al.	:	
Application No. 10/699,288	:	Decision on Petition
Filing Date: October 31, 2003	:	
Attorney Docket No. NOR-1109	:	

This is a decision on the petition under 37 CFR 1.137(b), filed September 15, 2005, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to file a proper reply to the final Office action mailed March 10, 2005, which set a shortened statutory period for reply of three (3) months. A two-month extension of time was obtained. Accordingly, the above-identified application became abandoned on August 11, 2005.


The instant petition requests revival of the application.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

Payment for an extension of time is unnecessary when filing a petition to revive. Therefore, the Office has credited the \$570 fee (3 month fee minus previous 2 month fee) back to petitioner's deposit account.

The Notice of Appeal filed September 15, 2005, has been entered and made of record. Accordingly, the 2-month period for filing the appeal brief, in triplicate, accompanied by the fee required by law, runs from the date of this decision.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions